

MICHAEL FAILLACE & ASSOCIATES, P.C.
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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANGELO PENA, ROLANDO ROJAS, JOSE
DIROCHE, and FRANKLIN SANTANA,
*individually and on behalf of others similarly
situated,*

07 CV 7013

Plaintiffs,

-against-

SP PAYROLL, INC., NICHOLAS PARKING,
CORP., IVY PARKING, CORP.,
BIENVENIDO, LLC, CASTLE PARKING
CORP., SAGE PARKING CORP., and SAM
PODOLAK,

Defendants.

-----X

STATE OF NEW YORK)
)
) ss
COUNTY OF NEW YORK)

**AFFIDAVIT OF JOHN KAROL,
ESQ. IN SUPPORT OF MOTION
FOR LEAVE TO AMEND
COMPLAINT UNDER FED. R.
CIV. P. 15(a)(2) AND FOR OTHER
RELIEF**

ECF Case

JOHN KAROL, an attorney duly admitted to practice in New York and in this court,
affirms on penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am an associate at Michael Faillace & Assoc., P.C. and we represent plaintiffs
Angelo Pena, Rolando Rojas, Jose Diroche, and Franklin Santana (the “Named Plaintiffs”), as
well as eight prospective named plaintiffs Christian Santos, Luis Ramon Luna, Miguel
Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes, and Edison

Alvarez (the “Prospective Named Plaintiffs”) (collectively the “Plaintiffs”), in this lawsuit for unpaid wages and overtime, and for other violations under the FLSA and New York Labor Law and associated rules and regulations.

2. I submit this affidavit in support of Plaintiffs’ Motion pursuant to Fed. R. Civ. P. (“FRCP”) 15(a) to amend the Complaint and for other relief.
3. A true and correct copy of the [Proposed] First Amended Complaint is attached hereto as “Exhibit A.”

Dated: New York, New York
July 12, 2007

/s/
John A. Karol [JK-9899]